C.J.'s Court

Writ Petition No. 847 (S/B) of 2002

Vinod Kumar Goel …….. Petitioner

V/s

State of Uttaranchal and others …….. Respondents

Hon. A.A.Desai, C.J.
Hon. Irshad Hussain,J.

Heard Sri Arvind Vashistha, learned counsel for the petitioner and learned Standing Counsel.

It is revealed during the course of that the petitioner was Executive Engineer in Inter Villages Road Development Schemes. It is reported by Mr. Vashistha that the petitioner was paid salary from the consolidated fund contributed by various societies of sugar cane growers. Financial assistance was also provided by the Government in the said project. He retired at the age of 58 years. Grievance as canvassed by the petitioner is that he is entitled to continue till the age of 60 years as applicable presently to the Government employees of the State of Uttaranchal. He tries to rely on the order of the Cane Commissioner. However, the order as pointed out is for a limited purpose of pay, increments,etc. Mr. Vashistha, therefore, argued that the premises can also be extended for other conditions of service including the age of supernnuation.

We are not inclined to agree with the submission, principally for the reason that the petitioner is not the employee of the Government and, therefore, he can not avail the benefit of age of supernnuation, which is presently available to the Government employees.

The petition is without any merit. Hence, the petition is dismissed.

(Hon. A. A. Desai, C.J.) **(Irshad Hussain,J.)**

Dt. 12.11.2002
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